

REMARKS

In the Notice of Non-Compliant Amendment dated "10/07/2008," the Examiner alleges that Claims 1-24 (as amended) "contains a different scope than the originally filed claims" and further stated that "claims 1-24 are withdrawn from consideration as being directed to a non-elected invention."

The Notice and its contents were discussed with Examiner Nordemeyer in a telephone conference held October 20, 2008. During that telephone conference, Examiner Nordemeyer indicated that Claims 1-24 would be reconsidered if amended to indicate in the preamble that the claims are directed to use of the defined membrane in combination with a concrete substrate. As suggested by Examiner Nordemeyer, Claims 1-24 have been further amended to define the invention in terms of use of the defined membrane in combination with a concrete substrate.

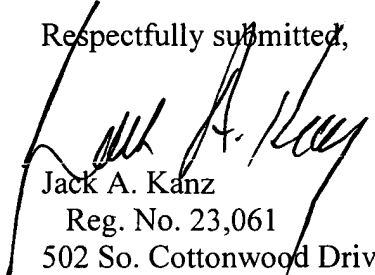
Since Claims 1-24 have been amended as suggested by the Examiner, it is respectfully requested that the Notice of Non-Compliant Amendment be withdrawn and the current amendment to Claims 1-24 be entered.

Since this Supplemental Amendment supplements the Amendment filed July 16, 2008, it is respectfully requested that currently amended Claims 1-24 be reconsidered in view of the Response submitted with the Amendment filed July 16, 2008.

Since Claims 25-43 have been cancelled and claims 1-24 have been shown to be patentable over the references cited thereagainst, all as set forth hereinabove, it is respectfully requested that Claims 1-24 be allowed and the case passed to issue. An early action to that effect is earnestly solicited.

In the event a telephone conference could resolve any outstanding issues, a telephone call to the undersigned is invited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jack A. Kanz', is written over the typed name and address.

Jack A. Kanz

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